RECEIVED CENTRAL FAX CENTER SEP 1 7 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re the Application

Inventor

SATOH

Application No.

09/830,376

Filed

04/25/2001

For

V4/23/2001

A DATA WRITING/READING METHOD, A DE-INTER-LEAVING METHOD, A DATA PROCESSING METHOD, A MEMORY AND A MEMORY DRIVE APPARATUS

APPEAL BRIEF

On Appeal from Group Art Unit 2188

Date: 07/16/2007

By: Michael Ure

Attorney for Applicant Registration No. 33,089

9/16/07

Certificate of Fax/Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being faxed to (571)273-8300 or deposited with the United States Postal Service as first class mail in an envelope addressed to the COMMISSIONER FOR PATENTS, Mail Stop Appeal, P.O. BOX 1450 ALEXANDRIA, VA 22313 on date below.

Michael Ure (Name)

(Signature and Date)

APPEAL Serial No.: 09/830,376

VI. GROUNDS of REJECTION to be REVIEWED ON APPEAL

The issues in the present matter are whether:

- 1. under 35 USC 102(e), claims 1, 3, 15, 16 and 18 are anticipated by Higashida.
- 2. under 35 USC 103(a), claims 4, 6, 7 and 9-14 are unpatentable over Higashida in view of Biro.